

**FILED
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
2004 JUL 27 AM 11:51**

UNITED STATES

U.S. DISTRICT COURT
DISTRICT OF MASS

v.

DOCKET NO: 04-10074-JLT

PHILLIP HYDE,
Defendant

MOTION TO CONTINUE SENTENCING

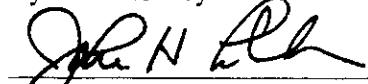
Now comes the Defendant, Phillip Hyde and moves that his Court continue the dated for his sentencing from August 4 , 2004 to on or about September 16, 2004.

As reasons for this motion, defendant submits that he needs additional time to:

- a. Develop additional evidence concerning his own mental condition and that of his adolescent son in order to properly litigate a motion for downward departure;
- b. To study the effect of recent decisions relative to the constitutionality of the sentencing guidelines and determine whether a constitutional challenge can and should be mounted in this case.

This short continuance is in the interest of justice to allow the court to have as much information as possible upon which to make its sentencing decision.

Respectfully Submitted
By his Attorney


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CERTIFICATE OF SERVICE

I, John H. LaChance hereby certify that I have served a copy of this Motion to AUSA Mark Balthazard, 9th Floor, United States Courthouse, 1 Courthouse Way, Boston, Massachusetts, this 14th day of July 2004.



JOHN H. LACHANCE